

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

AUSTIN EMORY VANDERPOOL,

2:15-CV-01199-PK

Petitioner,

ORDER

v.

CHRISTINE POPOFF,  
Superindendant Oregon State  
Correctional Institution,

Respondent.

BROWN, Judge.

Magistrate Judge Paul Papak issued Findings and Recommendation (#34) on February 14, 2017, in which he recommends this Court deny the Petition (#2) for Writ of Habeas Corpus Pursuant to § 2254, dismiss this matter, and deny a certificate of appealability. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. See *Dawson v. Marshall*, 561 F.3d 930, 932 (9<sup>th</sup> Cir. 2009). See also *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9<sup>th</sup> Cir. 2003) (*en banc*). Having reviewed the legal principles *de novo*, the Court does not find any error.

#### CONCLUSION

The Court **ADOPTS** Magistrate Judge Papak's Findings and Recommendation (#34). Accordingly, the Court **DENIES** the Petition (#2) for Writ of Habeas Corpus Pursuant to § 2254, **DISMISSES** this matter **with prejudice**, and **DENIES** a certificate of appealability.

IT IS SO ORDERED.

DATED this 21<sup>st</sup> day of March, 2017.

  
ANNA J. BROWN  
United States District Judge